

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON NOVEMBER 29, 2001.**

696 English Avenue, NW	03
334 Holderness Street, SW	04
401 Mary Street, SW	04
811 North Avenue, NW	03

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on November 29, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, November 29, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

**WHEREAS**, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
696 English Avenue, NW	03
334 Holderness Street, SW	04
401 Mary Street, SW	04
811 North Avenue, NW	03

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached  
In an amount necessary to recover the costs incurred by the City of Atlanta

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

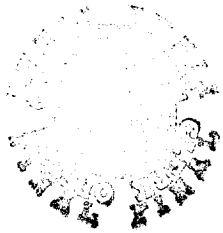
A true copy,

Deputy Clerk

**ADOPTED by the Council**  
**APPROVED by the Mayor**

FEB 04, 2002  
FEB 12, 2002





**TO WHOM IT MAY CONCERN:      LIS PENDENS**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Rosella Margaret Lee and Tiffinye Y. Lee**  
**Fulton County Tax commissioner**

on      11-9-01      in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in the City of Atlanta  
in Land Lot 112 of the 14th District of Fulton County, Georgia and being  
more particularly described as follows:

BEGINNING at a point on the west side of English Avenue, 125 feet north  
of the northwest corner of English Avenue and Bellwood Avenue, and running  
thence north along the west side of English Avenue, 41 feet to a point;  
thence west parallel with Bellwood Avenue, 125 feet to a 14 foot alley;  
running thence south along the east side of said alley 41 feet; running  
thence east, 125 feet to the west side of English Avenue and the POINT OF  
BEGINNING; being a part of the original subdivision of block 5 as per  
plat made by W. T. Wilson, C.E. and being improved property known as  
436 English Avenue, N. W. according to the present system of numbering  
of houses in the City of Atlanta and being the same property as received  
by the Grantor herein at Deed Book 8154, Page 277, Fulton County, Georgia  
Superior Court records.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,  
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This  
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as  
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such  
real property.

Dated:      November 9, 2001

BY:

Dale S. Haygood  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

Bill Castings  
Assistant Real Estate City Attorney



**TO WHOM IT MAY CONCERN:**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Willie F. Sanders and Zinida Sanders  
Chase Mortgage Company

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 117 OF THE 14TH  
DISTRICT OF FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

BEGINNING AT A POINT ON THE EAST SIDE OF HOLDERNESS STREET 226.8 FEET NORTH  
OF THE NORTHEAST CORNER OF HOLDERNESS STREET AND BELLA AVENUE, AND  
RUNNING THENCE NORTH ALONG THE EAST SIDE OF HOLDERNESS STREET 38 FEET TO A  
POINT; THENCE EAST 200 FEET TO A POINT; THENCE SOUTH 38 FEET TO A POINT;  
THENCE WEST 200 FEET TO THE EAST SIDE OF HOLDERNESS STREET AT THE POINT OF  
BEGINNING; BEING IMPROVED PROPERTY KNOWN AS 334 HOLDERNESS STREET,  
ATLANTA, GEORGIA 30310, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING  
HOUSES IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY:

*Dale S. Haygood*  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

*Bill Castings*  
Assistant Real Estate City Attorney



**TO WHOM IT MAY CONCERN:**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Margie C. Trimble

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in

Land Lot 87, 14th District of Fulton County, Georgia, more particularly described as follows: Beginning at a point on the North side of Mary Street 68 feet east to the northeast corner of Mary street and McDaniel street at the southeast corner of property now or formerly owned by Price Martin and running thence east along the north side of Mary street 35 feet running thence north 51 feet more or less to a fence running thence west 35 feet to the aforesaid property now or formerly owned by Price Martin running thence south along said property 51 feet more or less to the north side of Mary street and the point of beginning being improved property known as 401 Mary Street, S.W., Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY:

Dale S. Haggard  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

Bill Castings  
Assistant Real Estate City Attorney





## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Mazin Abraim  
Security Pacific Financial Services  
Georgia Mortgage Center, Inc.  
Thomas R. Hopson Broker, Inc.  
Domestic Mortgage, Inc.  
Fulton County City of Atlanta

on 11-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in the City of Atlanta, part of Land Lot 111 of the 14th District, originally Henry, now Fulton County, Georgia, and being more fully described as follows:

BEGINNING on the north side of West North Avenue, 95-1/4 feet west of the northwest corner of West North Avenue and English Avenue; and running thence west along the north side of West North Avenue 31-3/4 feet and extending back north with same width as front and at right angles with North Avenue, 100 feet; the house situate thereon being known as No. 111 West North Avenue.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: November 9, 2001

BY:

*Dale S. Haygood*  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195

BY:

*Bill Castings*  
Assistant Real Estate City Attorney



RCS# 3425  
2/04/02  
2:01 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-0001; Clean & Demolish  
02-O-0002; Clean & Close  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

MULTIPLE



02-0 -0001

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO  
DIRECT THE DEPARTMENT OF PLANNING,  
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION  
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO  
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS  
STRUCTURES, PURSUANT TO ARTICLE III OF THE  
ATLANTA HOUSING CODE AND A HEARING  
CONDUCTED BY THE IN REM REVIEW BOARD ON  
November 29, 2001

696 English Avenue, NW 03  
334 Holderness Street, SW 04  
401 Mary Street, SW 04  
811 North Avenue, NW 03

ADOPTED BY

FEB 04 2002

COUNCIL

- ☒ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 1/22/02

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date 1/15/02  
Chair Claitor  
Referred to 1/15/02

Committee Date 1/29/02  
Chair Claitor  
Action: Fav/Adv, Hold (see rev. side)  
Other:  
Members  
Refer To

Committee Date  
Chair  
Action: Fav, Adv, Hold (see rev. side)  
Other:  
Members  
Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED  
FEB 04 2002  
ATLANTA CITY COUNCIL PRESIDENT  
Claitor

CERTIFIED  
FEB 04 2002  
Municipal Clerk  
Doughlin

MAYOR'S ACTION

FEB 04 2002  
Mayor  
AYC